

What Constitutes a Legal War in the 21st Century? A Brief Introduction

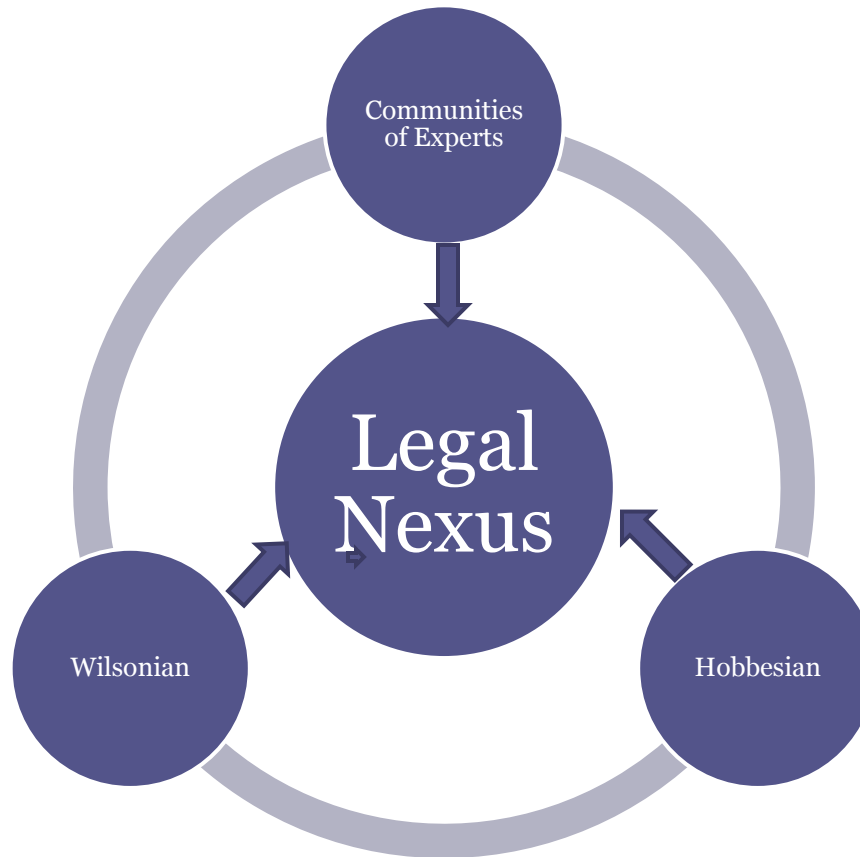
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A decorative graphic consisting of several horizontal lines of varying lengths and colors (teal, white, and light blue) extending from the right side of the slide towards the center.

The Origin May Not Be Well-Defined

- International Relations Theories: Wilsonian Idealism v. Hobbesian Realism
- Michael Walzer's *Just and Unjust War* (1977)
- The United Nations ' World Summit (2005)
- Complexities and Paradoxes (2007-2012)

Wilsonian Idealism v. Hobbesian Realism



Walzer's Insertion on Just and Unjust Wars:

[T]he moral reality of war is not fixed by the actual activities of soldiers but by the opinions of mankind. That means, in part, that it is fixed by the activity of philosophers, lawyers, publicists of all sorts (Walzer).

Further,

- (1) "there exists an international society of independent states and
- (2) This international society has a law that establishes the rights of its members--above all, the rights of territorial integrity and political sovereignty (Walzer).

United Nations' World Summit in 2005 introduces Responsibility to Protect (R2P).

With the United Nations' assistance, there is "Clear and unambiguous acceptance by all governments of the collective international responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. Willingness to take timely and decisive collective action for this purpose, through the Security Council, when peaceful means prove inadequate and national authorities are manifestly failing to do it (UN Outcome Documents of the Summit, 2005).

Complexities and Paradoxes

- How Does a Legal Declaration of War Look Like and Who Does What?
- Regional Organizations: IGOs and NGOs
- Agreements and Declarations
- Backdoor Policies
- Unknowns